

# CODATA Constitution (Statutes and By-Laws)

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## **Preamble**

Recognizing a world-wide demand for useful, reliable and readily available research data, CODATA was established in 1966 by the International Council for Scientific Unions (ICSU, later the International Council for Science) as a committee to promote throughout the world the evaluation, compilation and dissemination of research data and to foster international collaboration to address this challenge. In July 2018, ICSU merged with the International Social Science Council (ISSC) to create the International Science Council (ISC), with the consequence that CODATA is now an Interdisciplinary Committee of the ISC (see Statute 16).

## **Statutes**

### **Statute 1 - Name and Status of the Committee**

- 1.1 The Committee on Data of the International Science Council, hereinafter called CODATA, is a not-for-profit organization.

### **Statute 2 - Mission**

- 2.1 The mission of CODATA is to support the advancement of science as a global public good by promoting improved research data management and use, and by advancing data science and the enhanced exploitation of data in all areas of scientific research.
- 2.2 To achieve this mission, CODATA pursues, among others, the following goals:
  - a) An increase in awareness of the importance of effective and high quality production, evaluation, analysis, management and stewardship of data.
  - b) The development of national and international data policies, methods and practices commensurate with the needs of the research communities as well as society as a whole.
  - c) An increase in international capacity for the management, stewardship, dissemination and reuse of scientific and technical data
- 2.3 The activities of CODATA adapt continuously according to changes in the priorities, technologies and social organization of science, guided by the external Strategic Plan and Mission document, but should always include safeguarding the quality and critical evaluation of research data as provided by CODATA members (as specified in statute 3.1).

### **Statute 3 - Membership**

- 3.1 CODATA is composed of the following types of Members.
  - a) National Members. A National Member is a scientific academy, research council, scientific institution or association of such institutions which has activities in research data. Institutions effectively representing the range of such activities in a

definite territory may be accepted as National Members provided they can be listed under a name that will avoid any misunderstanding about the territory they represent.

- b) Institutional Members. An Institutional Member is an international organization, an academic institution, a governmental agency, a research institution, or a commercial organization having an interest in scientific data and a desire to work with CODATA in support of CODATA's mission.
- c) ISC Bodies. Each Scientific Union or other body federated to ISC which has an interest in research data and a desire to participate in the work of CODATA may become a Member by applying to CODATA through the CODATA Executive Director (see Statute 9.2) who shall substantiate its affiliation with ISC.
- d) Affiliate Members. The General Assembly (see Statute 5), the Executive Committee (see Statute 6), its Officers (see Statute 7), and the Secretariat (see Statute 9) may encourage entities with limited resources to join and participate in CODATA on terms appropriate to their potential membership category. In no more than two years following December 31 of the year in which the entity becomes a Member, the organization must become a full member or shall no longer be a member of CODATA. The General Assembly may allow special concessions by majority vote.
- e) Partners. An entity not covered by the other membership categories may be considered for special membership by the Executive Committee. Its affiliation shall be defined by a Memorandum of Understanding (MOU) prepared by the Executive Committee. At a minimum, liaisons shall be appointed from each organization to the other and the MOU shall be reviewed at a minimum every four years.
- f) Individual Members. CODATA encourages individuals to maintain an association with CODATA. An Individual Member is an individual scientist, expert, or other professional having a desire to work with CODATA in support of CODATA's Mission. Any individual committed to the Mission of CODATA may become an Individual Member. Roles, benefits, and responsibilities of Individual Members will be defined by the Executive Committee.
- g) Honorary Members. The Executive Committee may identify individuals as Honorary Members, based on their cumulative contributions to CODATA and data science, according to criteria identified by the Executive Committee and approved by the General Assembly.

3.2 Members pay annual dues according to levels and structures for their category of membership. The schedule of dues is determined by the Executive Committee and reviewed as necessary. Revisions must be approved at the subsequent General Assembly.

- a) To promote the fiscal responsibility of CODATA, Members shall pay their assigned dues promptly in the year assigned. At each General Assembly, the Treasurer shall present a list of all Members in payment arrears, which is defined as non-payment for two calendar years. The two year period shall normally be defined by the time between the end of the calendar year in which dues were last paid, and that of the General Assembly held in the second subsequent year. Upon review of the list, the Secretary General shall notify each such Member that its

category of membership will be changed and that the Member may appeal to the General Assembly. If appealed, the General Assembly shall propose one of two options: 1) terminate membership, or 2) confirm immediate change in the category of Membership to Affiliate Member. The General Assembly may waive these options only upon majority vote of all Members eligible to vote on financial matters.

- b) Failure to pay by more than two years following December 31 of the year in which the dues become payable will render the Member liable to suspension of any right to vote and to other privileges of full membership. Such Members may regain their voting rights and privileges by paying dues in arrears as assessed by the General Assembly.
- 3.3 Full rights and responsibilities of Members are determined by the Executive Committee, fully outlined in an external CODATA Member Roles and Responsibilities document, and are reviewed as necessary.
- a) All Members that are not individuals shall appoint a Delegate to CODATA.
  - b) Each National Member is expected to establish a national committee for maintaining liaison between its national activities and CODATA.
  - c) All Members in good standing, that are not individuals, have the right to send Delegates to the General Assembly (see Statute 5). The right of voice and/or vote will be established as part of the rights of Members by Membership category
- 3.4 New Members shall be approved by the Executive Committee. Dues-paying Members must pay their first year's dues before receiving any privileges of membership.

#### **Statute 4 - Governance**

- 4.1 CODATA's activities are governed by:
- a) The General Assembly (see Statute 5)
  - b) The Executive Committee (see Statute 6)
  - c) The Officers (see Statute 7)

#### **Statute 5 - The General Assembly**

- 5.1 The General Assembly is the highest authority of CODATA and determines its general policies and has the following functions:
- a) To elect Officers and Ordinary Members of the Executive Committee;
  - b) To examine and accept the report of the Executive Committee and the financial report; and
  - c) To confirm or reject the establishment or continuation of Task Groups.

5.2 The President convenes the General Assemblies of CODATA.

- a) A General Assembly must be held in person at least once every two years unless there are exceptional circumstances as determined by the Executive Committee. In such circumstances, the Executive Committee will propose an alternative timing of the General Assembly to Members for decision in accordance with the approach prescribed in By-Law 2.
- b) In addition to the in-person General Assembly, the President shall convene a General Assembly when so required by a resolution of the Executive Committee or when petitioned by at least one-half of the Delegates.
- c) A General Assembly may be held using technology (see Statute 17), provided all voting Delegates have the ability to participate effectively.

5.3 A General Assembly consists of Delegates of Members (Statute 3.3).

- a) Members shall designate Delegates, normally for a term of four years with the possibility of one renewal. If an appointed Delegate cannot complete a term, the Member should notify the Executive Director and appoint a replacement as soon as possible.
- b) Delegates play an important role in communications between CODATA and its members. Delegates shall seek advice from the organizations they represent and shall bring information from CODATA back to those they represent.
- c) If a Delegate is unable to attend the General Assembly, the Member may appoint a Substitute by giving notice (see Statute 17) to the Secretary General and the Executive Director.
- d) Representation by voting Delegates and duly appointed Substitutes equalling one-half or more of the total number of CODATA voting Delegates shall constitute a quorum of the General Assembly.
- e) Delegates may serve CODATA in more than one capacity, for example as chairs of Task Groups.

5.4 A General Assembly at times requires decisions by vote.

- a) Each National, Institutional and ISC Member shall have one vote to be exercised by the appointed Delegate or Substitute. Affiliate and Partner Members shall have votes according to groupings which shall be identified periodically determined and revised by the Executive Committee, and approved by the General Assembly.
- b) Decisions shall be by a simple majority of the affirmative and negative votes of the Delegates or their Substitutes who are present and voting, except where otherwise stipulated in this Constitution. The President shall have a casting vote.
- c) Only National Members and ISC Bodies shall have the right to vote on constitutional matters.
- d) In decisions concerning financial matters, only dues-paying Member Delegates shall have a vote.

- e) In the event a decision must be obtained by delegate vote in between General Assemblies, such vote may proceed virtually provided all Delegates have the ability to effectively participate in any vote required (see Statute 17).
- 5.5 Observers may attend General Assemblies but shall not have a vote. They shall have voice at the discretion of the presiding Officer.
- a) The President may invite ISC, its Unions, Associations, and Members, and significant international organizations not yet Members of CODATA, to send Observers to the General Assembly.
  - b) The President may invite as Observer, to part or whole of the General Assembly, any individual whose presence is likely to be particularly useful.
  - c) A Member may request sending an Observer to the General Assembly by submitting a request to the Executive Director who, in consideration with the Secretary General, shall acknowledge Observer attendance.
  - d) Observers shall be approved on a first-come-first-served basis, and subject to available space or by exception at the judgement of the President or the Secretary General.

## **Statute 6 - The Executive Committee**

- 6.1 The role of the Executive Committee is to safeguard the purpose and mission of CODATA, its values, reputation, and financial robustness, to provide strategic vision, and to have oversight of its directorate and management.
- 6.2 The CODATA Executive Committee consists of the Officers (see Statute 7) together with ten Ordinary Members (see Statute 8) as well as Co-opted Members as deemed necessary (see Statute 6.2 c)). The Executive Committee is normally chaired by the President (see Statute 7).
- a) The maximum, aggregate number of consecutive years which an individual may serve on the Executive Committee, whether as Ordinary Member or Officer, shall be twelve years. Upon completion of such a term of service, the individual shall not be considered eligible for election to any Executive Committee position for the next two years but may be so considered after the expiry of that two year period.
  - b) In defining terms of office, the two year period shall normally be the time between the end of a General Assembly at which the election was held and until the next GA after two years hence.
  - c) The Executive Committee shall have the power to co-opt additional members to assist in the handling of matters requiring particular or additional skills and experience. Years served by a Co-opted Member shall normally be included in the total described in Statute 6.2 a). In situations where such a Co-opted Member's contributions are critical to the successful accomplishment of CODATA's goals or strategic activities, the Co-opted Member may be appointed to the Executive Committee in an ex officio capacity until such time that the goal or strategic activity

has come to completion or is no longer deemed essential. In such cases, the provisions of Statute 6.2 a) may be exceeded.

- d) The Governing Board of ISC may send an Observer to participate in CODATA Executive Committee activities.
  - e) The President may invite as Observer, to part or whole of a meeting of the Officers or Executive Committee, any individual whose presence is likely to be particularly useful.
- 6.3 Between General Assemblies of CODATA, the responsibility for transacting the business of CODATA is vested in the Executive Committee. In its transactions, the Executive Committee requires a quorum of one-half of its members. Decision shall be by a simple majority of the number of votes cast. The Chair shall have a casting vote.
- 6.4 The Executive Committee shall meet regularly virtually (see Statute 17) or face-to-face throughout the year. A face-to-face meeting shall normally be held at least once per calendar year.
- 6.5 The Executive Committee may consult Delegates between General Assemblies to obtain guidance or decisions by vote on major issues (see Statute 5.4 d)). When a decision by vote is deemed necessary, participation by voting Delegates equaling one-half or more of the total number of CODATA voting Delegates shall constitute a quorum.
- 6.6 A summary of the Executive Committee's activities shall be reported at the subsequent General Assembly in the reports of the Secretary General and the Treasurer.
- 6.7 The roles and responsibilities of Executive Committee Members are fully outlined in an external CODATA Executive Committee Roles and Responsibilities document.

## **Statute 7 - The Officers**

- 7.1 CODATA shall elect a President, one or two Vice-Presidents, a Secretary General and a Treasurer. Prior to each General Assembly, the Executive Committee shall review CODATA strategic initiatives and determine the need for one or two Vice-Presidents during the two following years. This decision shall then be reflected in the Call for Nominations.
- 7.2 The roles and responsibilities of CODATA Officers are briefly described as follows:
- a) The President's role is to lead the Executive Committee and its Officers in setting the policies and strategic direction for CODATA, both for the near term and for the foreseeable future. The President is the legal representative of CODATA and has the authority to delegate these powers, normally to the Executive Director. The President is the lead liaison with ISC.
  - b) The Vice-Presidents support the President to ensure CODATA's policies and strategic directions are supported and brought to successful completion.

- c) The Secretary General's role is to support the President to ensure the smooth functioning of the Executive Committee. Among other responsibilities, this includes ensuring meetings are effectively organised and recorded, legal requirements are observed, and communication and correspondence is smoothly maintained.
  - d) The Treasurer is responsible for oversight of financial management of CODATA, and works closely with other Executive Committee Members to safeguard the organisation's finances (see Statute 10). This includes general financial oversight, financial planning and budgeting, and financial reporting.
- 7.3 A candidate for Officer of the Executive Committee, at the time of election, must normally be:
- a) A long-term resident of, or have a primary affiliation with, a National, Institutional, or ISC Member,
  - b) The official Delegate (or past Delegate) of a Member,
  - c) A Member (or past Member) of the Executive Committee,
  - d) Active (or have been active within the last three years), in CODATA, its Task Groups, Working Groups, Committees or Strategic Initiatives, or
  - e) Active in their national data community.
- 7.4 In exceptional circumstances, the Executive Committee may, by resolution, nominate an outstanding candidate whose background in CODATA does not meet the criteria in Statute 7.3.
- 7.5 The President, Vice-President(s), Secretary General and Treasurer may not serve CODATA in any other elected capacity during their term of office. On assuming office, the President, Vice-President(s), Secretary General and Treasurer, if they are Delegates, shall cease to be so. In accordance with Statute 3.3, the Members shall designate alternative Delegates in their place.
- 7.6 The Terms of Office for Officers shall be as follows:
- a) The Immediate Past President, exceeding if necessary the provisions of Statute 6.2 a), shall remain, ex officio, an Officer for the first four years following the conclusion of her or his term of office as President.
  - b) The President and Vice-President(s) shall be elected for a term of four years, without the possibility of renewal. Once elected the candidate may exceed the provisions of Statute 6.2 a) in order to complete their term.
  - c) The Treasurer and Secretary General shall be elected initially for a term of four years with the possibility of a renewal for a maximum of one further four year term and may, if necessary, exceed the provisions of Statute 6.2 a) in order to complete their terms.
- 7.7 In the event of the death, incapacity or resignation of the President, the Vice-President shall be Acting President, to hold office until the Executive Committee completes the process to elect a new President at the next in-person General Assembly. If there are



two Vice-Presidents, the more senior of the two Officers shall normally be Acting President, unless the alternate option is mutually agreed upon. If the Vice-President(s) is (are) unable or unwilling to serve as Acting President, the Executive Committee, with the Secretary General acting as Chair pro tem, shall appoint an individual from among its own members or, failing that, from among present and past Officers, Ordinary Members, or Delegates, to be Acting President. The Past President shall serve in an advisory capacity to the Acting President.

- 7.8 In the event of the death, incapacity or resignation of the Secretary General, Vice-President(s) or Treasurer, the Executive Committee shall appoint an Acting Secretary General, Acting Vice-President(s) or Acting Treasurer from among its own members or, failing that, from among present and past Officers, Ordinary Members, or Delegates, to hold office until the Executive Committee completes the process to elect a new Secretary General, Vice-President or Treasurer at the next in-person General Assembly. The two year hiatus for exceeding term limits shall not govern in this case.
- 7.9 Between meetings of the Executive Committee, responsibility for transacting the business of CODATA is vested in the Officers, in consultation with the Executive Committee by means of additional meetings or teleconferences (see Statute 17). All decisions of the Officers shall be submitted for approval to the Executive Committee at its next meeting.

## **Statute 8 - The Ordinary Members**

- 8.1 A candidate for Ordinary Member of the Executive Committee, at the time of election, should normally be a long-term resident of, or have a primary affiliation with, a National, Institutional, or ISC Member or must be the official Delegate of a Member.
- 8.2 The term of office of Ordinary Members shall be two years and may be renewed no more than twice (i.e. for a total of six years service). If up to three Ordinary Members are unable to complete their term, the positions remain vacant until the next General Assembly Elections. If more than four Ordinary Members are unable to complete their term, the Executive Committee shall invite one or more co-opted individuals or previous Ordinary Members to complete the terms of the absent members. The term maximum established in Statute 6.2 b) shall not apply in these cases.
- 8.3 The Ordinary Members of the Executive Committee need not necessarily be past or present Delegates but must normally have participated in recent activities of CODATA such as Task Groups or the liaison committee of a Member.

## **Statute 9 - The Secretariat**

- 9.1 A Secretariat shall be established to implement the decisions of CODATA. Its goals and objectives shall be defined by the Executive Committee.
- 9.2 The Secretariat shall be headed by a salaried Executive Director appointed by the Executive Committee. The Executive Director shall be considered, ex officio, an Officer of CODATA with voice but without vote and shall work under the general supervision of one of the Officers designated by the Executive Committee. The Executive Director will normally be authorized by the president to represent CODATA

to conclude legal and financial agreements, memoranda of understanding and so on. The Executive Director shall help organize and normally attend the General Assembly, the meetings of the Executive Committee and those of the Officers.

- 9.3 Other salaried staff of the Secretariat shall be appointed by the Executive Director in consultation with the Officer mentioned in Statute 9.2.

## **Statute 10 - Fiscal Policy and Financial Administration**

- 10.1 CODATA shall acquire revenue through annual dues according to financial categories of membership as set by the General Assembly. CODATA may also acquire income from grants, contracts, contributions, donations, publications and meetings or other products and services approved by the Executive Committee.
- 10.2 CODATA shall not assume expenses or debts exceeding the sum of liquid assets on hand plus membership dues, promised grants, contributions and other income receivable over the subsequent twelve month period.
- 10.3 CODATA shall establish and maintain a Reserve Fund at least equivalent to approximately six months of CODATA operational funds. When deemed necessary, funds may be withdrawn from the Reserve Fund upon the recommendation of the Treasurer and, notwithstanding Statute 6.3, an affirmative two-thirds majority vote of a quorum consisting of at least 75% of the Executive Committee.
- 10.4 CODATA financial assets shall be managed in financial institutions authorized by the Officers. Only Officers or other persons so authorized by the Executive Committee may be signatories to contracts, agreements and disbursements.
- 10.5 The Treasurer is responsible for financial planning and budgeting for the Executive Committee and the General Assembly.
- 10.6 The Treasurer is responsible for the safekeeping and expenditure of CODATA funds and shall require accounts of expenses from recipients of CODATA monies.
- 10.7 The Treasurer shall prepare for approval by the Executive Committee and for submission to the General Assembly annual budgets and an annual account of expenditures and will, with the approval of the Executive Committee, arrange for independent auditing of the accounts.
- 10.8 CODATA finances shall be audited or reviewed annually in accordance with relevant laws and to established best practice. The audit results shall be made available to Members at the discretion of the Officers. CODATA shall ensure financial records are preserved and available for five years.
- 10.9 Traveling expenses related to Executive Committee meetings shall normally be defrayed by CODATA in accordance with the CODATA Travel Policy. Traveling expenses of Delegates to the General Assembly shall normally be the responsibility of Members designating them. Policies for other traveling expenses shall be set by the Officers.

- 10.10 The Executive Director is responsible for ensuring accounts of CODATA income and expenditures are available to the Officers during the fiscal year and periodically delivering an accounting report to the Executive Committee.
- 10.11 The Executive Director shall maintain appropriate financial checks and balances to protect CODATA's financial resources.

### **Statute 11 - Nominating Committee**

- 11.1 The General Assembly at which a new President is elected shall appoint a Nominating Committee to support the election of Officers and Ordinary Members to the Executive Committee.
- 11.2 The Nominating Committee shall consist of between five and nine members with sufficient experience with CODATA to perform the role effectively. The Immediate Past President, or, if she or he is unable or unwilling, another previous Officer, shall serve as Chair. The Executive Committee shall prepare a slate of the four remaining members, for approval by the General Assembly. Members of the Committee shall be appointed for four years.
- 11.3 The roles and responsibilities of the Nominating Committee are fully outlined in an external CODATA Nominating Committee Roles and Responsibilities document.
- a) The Nominating Committee shall ensure that candidates meet eligibility requirements and are of sufficient calibre and experience to effectively serve on the Executive Committee.
  - b) The Nominating Committee shall prepare an electoral slate which strikes a balance with regard to disciplines, countries, and specialized expertise relevant to CODATA and its current activities, while also reflecting the diversity of the global data community.
  - c) If required to ensure a full and balanced electoral slate, the Nominating Committee, in collaboration with the Executive Director, shall actively recruit additional candidates. It shall also confirm eligibility of candidates (subject to the relevant criteria of the Statutes then in force), and confirm their willingness to serve if elected.
  - d) In order to achieve excellence and diversity on the slate of candidates, the Nominating Committee has the authority to proactively solicit and/or accept exceptional candidates for a position on the Executive Committee even if they do not have a background in CODATA.

### **Statute 12 - Task Groups, Working Groups, Committees and Strategic Initiatives**

- 12.1 The Executive Committee may launch initiatives to support and execute the Strategic Plan of CODATA, including:
- a) Appointment of Task Groups, for the examination of special topics, subject to approval by the General Assembly;

- b) Appointment of ad hoc Committees, to provide policy guidance, to plan new activities, to evaluate the work of Task Groups or to oversee other CODATA activities;
- c) Establishment of Working Groups and special initiatives, to pursue activities that fall outside the scope or timing of Task Groups.

### **Statute 13 - Diversity and Inclusion**

- 13.1 To ensure representation of the interests of the world data community, CODATA will account for global diversity and inclusion in its decisions and activities to the greatest extent possible.

### **Statute 14 - Proposal or Amendment of By-Laws**

- 14.1 Proposed By-Laws or Amendments must reach the Executive Director not less than twelve weeks in advance of the General Assembly at which the resolutions are to be moved so as to permit notification of the Delegates eight weeks in advance. By-Laws may be adopted or amended at a General Assembly by a simple majority vote (see Statute 5.4).

### **Statute 15 - Proposal and Amendment of Statutes**

- 15.1 Proposed Statutes or amendments must reach the Executive Director not less than twelve weeks in advance of the General Assembly at which the resolutions are to be moved so as to permit notification of the Delegates eight weeks in advance. Statutes may be adopted or amended at a General Assembly by receiving affirmative votes from at least two-thirds of the voting Delegates and duly appointed Substitutes present.

### **Statute 16 - Organizational name**

- 16.1 In this document, and in order to accommodate future organizational name or structural changes, "ISC" refers to the International Science Council as well as any successor organization.

### **Statute 17 - Technology note**

- 17.1 In this document, when reference is made to means and methods of communication and voting technologies, appropriate distribution and submission of such communications, ballots, and votes shall be made by contemporarily appropriate and acceptable technologies. This may include, but is not limited to, post, email, web-based, and other standard technologies which may become generally acceptable world-wide in coming years.

## **Statute 18 - Interpretation**

- 18.1 The English text of the Statutes and By-Laws comprising this Constitution shall be considered as authoritative.

## **By-Laws**

### **By-Law 1 - Regarding Attendance at Meetings**

- 1.1 The expenses of Officers and Executive Committee Ordinary Members to Executive Committee meetings shall normally be defrayed by CODATA, subject to financial considerations
- 1.2 The expenses of Officers to General Assemblies shall normally be defrayed by CODATA.
- 1.3 The expenses of Executive Committee Ordinary Members and Delegates to General Assemblies shall not normally be defrayed by CODATA.
- 1.4 The expenses of Observers to General Assemblies and meetings of the Executive Committee shall not normally be defrayed by CODATA.

### **By-Law 2 - Relating to Consultations between General Assemblies**

- 2.1 With regard to matters which require consultation with and a voting decision by CODATA Delegates, the Executive Director shall use appropriate means (see Statute 17) to ensure ballots are distributed to Delegates.
- 2.2 In order to give Delegates time to consult their Members, the deadline stipulated for the receipt of the returned ballots shall be not less than four weeks after the date of their dissemination. Ballots may be returned by appropriate means (see Statute 17) in a format that unambiguously establishes the identity of the Delegate.
- 2.3 On the ballot, Delegates shall be given the opportunity to object to the issue being decided by the Executive Committee and to request that the decision be made at the subsequent General Assembly.
- 2.4 Delegates who object shall be requested to state their reason for doing so in writing to the Executive Director. These objections shall be circulated to the Delegates with a request for additional comments. Delegates wishing to respond shall do so within four weeks after the date of dissemination of the objection(s). The Executive Committee shall review the total objections received, and in the event that more than one-third of the Delegates object to the voting process on the issue, it will be postponed to discussion and vote at the subsequent General Assembly.

### **By-Law 3 - Relating to Nominations**

- 3.1 Not later than six months before a General Assembly at which elections shall be held, the Nominating Committee shall invite all Delegates as well as Chairs of Task Groups, hereafter referred to as Parties, to propose names for election as Officers and Ordinary Members of the Executive Committee. The proposed names, along with the names of past and present Delegates, must be submitted to the Executive Director not less than four months before the General Assembly, and will form a basis for the Nominating Committee to prepare a Provisional List of candidates.
- 3.2 The Nominating Committee will review the candidate nominations and shall prepare a balanced slate (see Statute 11), which will be distributed to Delegates eight weeks prior to the General Assembly. This List shall include at least one nomination for each open Officer position, and a nomination for all ten positions of Ordinary Member of the Executive Committee.

#### **By-Law 4 - Voting Procedures**

- 4.1 The election of the Officers shall be by secret ballot from names listed on the Official Slate of Candidates. Each voting member shall vote for no more names than there are vacancies to be filled. Any ballot not complying will be considered invalid.
- 4.2 A candidate for Officer shall be declared elected when she or he receives more than one-half the valid votes actually cast. Absences, failure to vote and abstentions are not taken into account.
- 4.3 The election of the Ordinary Members shall be by secret ballot from names listed on the Official Slate of Candidates. Each voting member shall vote for the same number of names as there are vacancies to be filled. Any ballot paper not complying will be considered invalid.
- 4.4 Candidates for Ordinary Members shall be selected in descending order of their vote count until all positions are filled and shall be declared elected if their vote count is more than one-half the number of valid ballot papers actually cast. Absences, failure to vote and abstentions are not taken into account.
- 4.5 If vacancies remain after any ballot for Ordinary Member, the name of the candidate receiving the least number of votes and the names of the elected candidates shall be removed from the next ballot. This procedure shall be repeated until all vacancies have been filled. If at any time a choice must be made among candidates who have obtained the same number of votes, a separate ballot shall be taken to resolve the tie. Should the tie remain after two consecutive ballots, the President shall have the right to cast the deciding vote.

#### **By-Law 5 - Relating to Task Groups, Working Groups, Committees and Special Initiatives**

- 5.1 The Executive Committee shall propose to the General Assembly the need for Task Groups consistent with the provisions of Statute 12. The power to establish Task Groups is vested in the General Assembly.

- 5.2 Proposals for the establishment or renewal of Task Groups shall be solicited by the Executive Committee from all Delegates, Task Group Chairs, and through CODATA publications beginning at least six months in advance of the General Assembly.
- 5.3 Proposals for new Task Groups, with a clearly formulated objective, budget, work plan, statement of tangible outcomes benefiting CODATA and the research community, as well as a timetable for completion, shall be submitted to the Secretariat, for procedural review by the Secretary General, not less than four months in advance of the General Assembly. Task Groups seeking renewal must additionally submit a progress report and proposals for future activities. The Secretary General, upon being satisfied that minimum criteria have been met, shall ensure that each proposal is subjected to impartial peer review and that those proposals and reviews are available for assessment by the Executive Committee at their regular meeting prior to the General Assembly.
- 5.4 The Secretariat shall send Task Group proposals, after they have been assessed, modified and ranked as deemed necessary by the Executive Committee, to the Delegates at least eight weeks in advance of the General Assembly.
- 5.5 The President, in consultation with the Executive Committee, shall appoint or confirm the Chair of each Task Group. The Chair in turn shall formulate for the Executive Committee the terms of reference of the Task Group and its detailed work plan and the proposed list of members.
- 5.6 To maintain good liaison between the Task Groups and CODATA Members, the Executive Committee shall communicate the proposed and (when confirmed and approved by the Executive Committee) final lists of Task Group members to all Delegates.
- 5.7 To provide oversight of and facilitate communication with Task Groups, the Executive Committee shall appoint Liaisons from among its members. Such Liaisons shall be considered, *ex officio*, members of their respective Task Groups from the time of appointment until the next General Assembly. Task Group Liaisons shall:
  - a) participate, where appropriate, in Task Group activities;
  - b) receive copies of all Task Group correspondence and products;
  - c) ensure that the Task Group is informed of pertinent actions or decisions of the Executive Committee;
  - d) analyze reports and communications received from the Task Group;
  - e) alert the Secretary General to incipient problems;
  - f) brief the Executive Committee at its regular meetings on the current status of the Task Group;
  - g) comment, as required, to the General Assembly on the application for renewal of the Task Group.
- 5.8 The ballot for establishing or approving continuation of Task Groups will provide for the casting of either a "Yes" or "No" vote for each Task Group. A Task Group must

receive more "Yes" votes than "No" votes to be established or to be approved for continuation. Failures to vote for a given Task Group will be ignored in determining majority. Approval does not necessarily imply funding of the proposed budget of the Task Group.

- 5.9 The Executive Committee may set up Working Groups to explore the need for CODATA action on specific issues. A Working Group shall normally continue for not more than two years. If a Working Group recommends the establishment of a CODATA initiative, Task Group or committee, the Executive Committee may pursue this and set up activities within the approved annual budget.
- 5.10 The term of office of the Task Group Chair will be two years and may be renewed for two additional terms of two years each. She or he may continue to serve as a member of the Task Group. No Officer or Ordinary member of the Executive Committee shall be eligible to be Chair of a CODATA Task Group or CODATA Working Group. Any conflict of this nature must be resolved within four weeks of the conflict arising either by resignation as Task Group or Working Group Chair or by resignation as Officer or Ordinary Member of the Executive Committee.
- 5.11 The Executive Committee may establish advisory committees as needed.
- 5.12 The Executive Committee may engage in additional initiatives in line with its strategic mission, for which grants or outside funding is obtained, and shall report at the General Assembly on plans for and progress on these initiatives. The Executive Committee shall additionally seek feedback from delegates on resource allocation, prioritization, and execution of strategic initiatives.

### ***Historical Note regarding the Constitution***

This version was approved by the 17th CODATA General Assembly Columbus, Ohio, July 1990. Subsequent modifications have been approved at the following General Assemblies:

- 18<sup>th</sup> CODATA General Assembly, Beijing, China, 1992;
- 19<sup>th</sup> CODATA General Assembly, Chambéry, France, 1994;
- 21<sup>st</sup> CODATA General Assembly, New Delhi, India, 1998;
- 22<sup>nd</sup> CODATA General Assembly, Stresa, Italy, 2000;
- 23<sup>rd</sup> CODATA General Assembly, Montréal, Canada, 2002;
- 24<sup>th</sup> CODATA General Assembly, Berlin, Germany, 2004;
- 26<sup>th</sup> CODATA General Assembly, Kyiv, Ukraine, 2008;
- 27<sup>th</sup> CODATA General Assembly, Stellenbosch, South Africa, 2010;
- 28<sup>th</sup> CODATA General Assembly, Taipei, China: Taipei, 2012;
- 31<sup>st</sup> CODATA General Assembly, Gaborone, Botswana, 2018; and
- Extraordinary CODATA General Assembly, held virtually, December 2020.